

P. O. Box 16
Escalante, Utah 84726
13 February, 1972

Gerald Stoker, Area Engineer
Department of Natural Resources
Division of Water Rights
622 North Main
Cedar City, Utah

Dear Mr. Stoker:

Today, while checking water use in the wash, I found water being diverted south of the wash in a ditch which has been used by Leo Wilson. While investigating I was approached by E. D. Haws who stated that he was making the diversion, and had been doing so for many years. He indicated he felt the practice caused no harm, that it was important to his stock operation, and that he resented anyone "snooping around". He also said his several permits entitled him to water.

I responded that his permits specified "stock water directly on stream" (reference claims 1209, 1210, 1211). I also said I would assist him in applying for a diversion if he so desired. He then said he would prefer to take out the diversion, thereby achieving the condition of not having anyone on his back. He said he will fence the wash in order to meet the requirements.

I will observe his compliance, and may later request your assistance in determining property locations if necessary. In case the situation should arise again, or Mr. Haws should change his mind, I would like to know whether it would ever be feasible to arrange a short diversion, with direct return to the stream, for stock watering purposes.

Sincerely,

William Hathaway
William Hathaway
Water Commissioner

